

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

TRUEPOSITION, INC.,

**Plaintiff and
Counterclaim-Defendant,**

v.

ANDREW CORPORATION,

**Defendant and
Counterclaim Plaintiff.**

Civil Action No. 05-00747-SLR

**ANDREW CORPORATION'S DAUBERT MOTION
FOR A RULING LIMITING THE TESTIMONY OF DR. ODED GOTTESMAN**

Pursuant to *Daubert v. Merrell Dow Pharms., Inc.*, 509 U.S. 579 (1993), and Federal Rules of Evidence 403 and 702, Defendant and Counterclaim Plaintiff Andrew Corporation hereby moves for an order limiting the testimony of Dr. Oded Gottesman. The grounds for this motion are fully set forth in Andrew Corporation's opening brief and supporting papers filed contemporaneously herewith.

WHEREFORE, Defendant and Counterclaim Plaintiff Andrew Corporation respectfully requests that the Court grant this motion and enter the attached order limiting the testimony of Dr. Oded Gottesman.

Respectfully submitted,

YOUNG CONAWAY STARGATT & TAYLOR, LLP

/s/ Andrew A. Lundgren

Josy W. Ingersoll (No. 1088) [*jingersoll@ycst.com*]

Andrew A. Lundgren (No. 4429) [*alundgren@ycst.com*]

The Brandywine Building

1000 West Street, 17th Floor

Wilmington, Delaware 19899-0391

302-571-6600

Attorneys for Defendant/Counterclaim Plaintiff

Andrew Corporation

OF COUNSEL:

John M. Desmarais

KIRKLAND & ELLIS LLP

153 East 53rd Street

New York, New York 10022

(212) 446-4800

Michael A. Parks

Rachel Pernic Waldron

Shira J. Kapplin

KIRKLAND & ELLIS LLP

200 East Randolph Drive

Chicago, Illinois 60601

(312) 861-2000

Dated: May 17, 2007

CERTIFICATE OF SERVICE

I, Andrew A. Lundgren, Esquire, hereby certify that on May 17, 2007, I caused to be electronically filed a true and correct copy of the foregoing document with the Clerk of the Court using CM/ECF, which will send notification that such filing is available for viewing and downloading to the following counsel of record:

James D. Heisman, Esquire
Connolly, Bove, Lodge & Hutz
The Nemours Building
1007 North Orange Street
P.O. Box 2207
Wilmington, DE 19899
(302) 658-9141
Email: jheisman@cblh.com

I further certify that on May 17, 2007, I caused a copy of the foregoing document to be served by hand delivery on the above-listed counsel of record and on the following in the manner indicated:

**BY ELECTRONIC MAIL ON MAY 17, 2007 AND
FEDERAL EXPRESS ON MAY 18, 2007**

Paul B. Milcetic, Esq. [pmbilcet@woodcock.com]
David L. Marcus, Esq. [dmarcus@woodcock.com]
Daniel J. Goettle, Esq. [dgoettle@woodcock.com]
Woodcock Washburn LLP
One Liberty Place, 46th Floor
Philadelphia, PA 19103

YOUNG CONAWAY STARGATT & TAYLOR, LLP

/s/ Andrew A. Lundgren

Andrew A. Lundgren (No. 4429)
The Brandywine Building
1000 West Street, 17th Floor
Wilmington, Delaware 19801
(302) 571-6600
alundgren@ycst.com
Attorneys for Defendant Andrew Corporation